

EDWARD H. KUBO, JR. #2499
United States Attorney
District of Hawaii

ELLIOT ENOKI #1528
First Assistant U.S. Attorney

LORETTA SHEEHAN
Assistant U.S. Attorney
Room 6100, PJKK Federal Building
300 Ala Moana Blvd.
Honolulu, Hawaii 96850
Telephone: (808) 541-2850

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JAN 30 2003

2 45 p
at 2 o'clock and 45 min. M.
WALTER A. Y. H. CHINN, CLERK

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 02-00552 DAE
)	
Plaintiff,)	FIRST SUPERSEDING
)	INDICTMENT
v.)	
)	[21 U.S.C. §§ 846, 856
CARMELITA MALDONADO,	(01))	and 841(a); 18 U.S.C.
ARIETA YAMAGUCHI,	(02))	§ 2]
OLITA FAAFITI,	(03))	
a.k.a. Olita Asiata,)	
LILO FAAFITI,	(04))	
SUI FAAFITI, JR.	(05))	
CHOON-JA MILLER,	(06))	
a.k.a. "Old Lady,")	
a.k.a. "Mama,")	
a.k.a. "Jeanie Miller,")	
TUI MASINA,	(07))	
JOHN UTI,	(08))	
and)	
SUI FAAFITI, SR.	(09))	
)	
Defendants.)	

FIRST SUPERSEDING INDICTMENT

COUNT 1

The Grand Jury charges:

Beginning from a date unknown, but by November, 2001 to and including December 17, 2002, in the District of Hawaii and elsewhere, CARMELITA MALDONADO, ARIETA YAMAGUCHI, OLITA FAAFITI, a.k.a. Olita Asiata, LILO FAAFITI, SUI FAAFITI, JR., CHOON-JA MILLER, a.k.a. "Old Lady," a.k.a. "Mama," a.k.a. Jeanie Miller, TUI MASINA, JOHN UTI, SUI FAAFITI, SR. conspired together and with others known and unknown to knowingly and intentionally distribute and to possess with the intent to distribute, 50 grams or more of a mixture or substance that contains a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, which contains cocaine base, a.k.a. "crack cocaine," and cocaine, both Schedule II controlled substances.

WAYS AND MEANS OF CONSPIRACY

1. CARMELITA MALDONADO obtains crack cocaine and/or powder cocaine from a supplier.
2. CARMELITA MALDONADO sends the crack cocaine and/or powder cocaine to OLITA FAAFITI, a.k.a. Olita Asiata and ARIETA YAMAGUCHI for redistribution via "runners," including LILO FAAFITI and SUI FAAFITI, JR.

3. OLITA FAAFITI, a.k.a. Olita Asiata and ARIETA YAMAGUCHI "cook" the powder cocaine received into crack cocaine.

4. OLITA FAAFITI, a.k.a. Olita Asiata and ARIETA YAMAGUCHI send the crack cocaine to the L & D Bar via "runners," including LILO FAAFITI and SUI FAAFITI, JR., where the crack cocaine is sold by sub-distributors.

5. OLITA FAAFITI, a.k.a. Olita Asiata and ARIETA YAMAGUCHI sell crack cocaine to customers from the L & D Bar.

6. LILO FAAFITI obtains crack cocaine and/or powder cocaine from other sources to supply OLITA FAAFITI and ARIETA YAMAGUCHI when CARMELITA MALDONADO fails to supply crack cocaine and/or powder cocaine.

7. CHOON-JA MILLER, a.k.a. "Old Lady," a.k.a. "Mama," a.k.a. "Jeanie Miller," leases the L & D Bar located at 125 North Hotel Street. CHOON-JA MILLER, a.k.a. "Old Lady," a.k.a. "Mama," a.k.a. "Jeanie Miller," permits CARMELITA MALDONADO, ARIETA YAMAGUCHI, OLITA FAAFITI, a.k.a. Olita Asiata, LILO FAAFITI, SUI FAAFITI, JR. and others to distribute crack cocaine and powder cocaine from the L & D Bar for a fee.

8. CHOON-JA MILLER, a.k.a. "Old Lady," a.k.a. "Mama," a.k.a. "Jeanie Miller," collects \$100 per day from

CARMELITA MALDONADO, ARIETA YAMAGUCHI and OLITA FAAFITI, a.k.a. Olita Asiata for the use of the L & D Bar as a drug distribution point.

9. CARMELITA MALDONADO, ARIETA YAMAGUCHI, OLITA FAAFITI, a.k.a. Olita Asiata pay CHOON-JA MILLER, a.k.a "Old Lady," a.k.a. "Mama," a.k.a. "Jeanie" Miller, via "Tui," and others, not charged as defendants herein.

10. CHOON-JA MILLER, a.k.a. "Old Lady," a.k.a. "Mama," a.k.a. "Jeanie Miller," charges customers who wish to purchase crack cocaine or powder cocaine within the L & D Bar \$2 each time they enter the L & D Bar.

11. TUI MASINA, JOHN UTI, and SUI FAAFITI, SR. sell crack cocaine to customers within the L & D Bar.

12. The conspirators use cellular and land line telephones, pagers, and voice mail messaging systems to communicate.

OVERT ACTS

1. On February 20, 2002, ARIETA YAMAGUCHI distributed 1.9 grams of crack cocaine to another person at the L & D Bar.

2. On February 20, 2002, ARIETA YAMAGUCHI distributed 2.0 grams of crack cocaine to another person at the L & D Bar.

3. On March 13, 2002, ARIETA YAMAGUCHI distributed 21.9 grams of crack cocaine to another person at the L & D Bar.

4. On March 14, 2002, OLITA FAAFITI, a.k.a. Olita Asiata, distributed 7.4 grams of crack cocaine to another person at the L & D Bar.

5. On March 14, 2002, OLITA FAAFITI, a.k.a. Olita Asiata, provided "M," not charged as a defendant herein, with .84 grams of crack cocaine for redistribution.

6. On June 4, 2002, ARIETA YAMAGUCHI distributed 5.2 grams of crack cocaine to another person at the L & D Bar.

7. On June 10, 2002, ARIETA YAMAGUCHI distributed 7 grams of crack cocaine to another person at the L & D Bar.

8. On August 6, 2002, CARMELITA MALDONADO distributed 23.2 grams of crack cocaine to another person.

9. On August 6, 2002, LILO FAAFITI distributed 54.0 grams of cocaine.

10. On October 14, 2002, SUI FAAFITI, JR. delivered crack cocaine to the L & D Bar.

11. On November 1, 2002, SUI FAAFITI, JR. delivered cash to CARMELITA MALDONADO.

12. On November 13, 2002, SUI FAAFITI, JR. delivered cash to CARMELITA MALDONADO.

13. On a date unknown to the grand jury, CHOON-JA MILLER, a.k.a. "Old Lady," a.k.a. "Mama," a.k.a. Jeanie Miller, collected payment from "Tui," not charged as a defendant herein, for the use of the L & D Bar to distribute crack cocaine and powder cocaine.

All in violation of Title 21, United States Code, Section 846.

COUNT 2

The Grand Jury further charges:

Beginning from a date unknown, but by November, 2001 to and including December 17, 2002, in the District of Hawaii, CHOON-JA MILLER, a.k.a. "Old Lady," a.k.a. "Mama," a.k.a. Jeanie Miller, knowingly managed and controlled a building, room and enclosure, to wit, the L & D Bar, as a lessee, and knowingly and intentionally rented and made available for use, with or without compensation, the L & D Bar for the purpose of unlawfully distributing a controlled substance.

All in violation of Title 21, United States Code, Sections 856(a)(2) and 856(b).

COUNT 3

The Grand Jury further charges:

On or about February 20, 2002, in the District of Hawaii, ARIETA YAMAGUCHI knowingly and intentionally

distributed a mixture or substance that contains a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, which contains cocaine base, a.k.a. "crack cocaine," to wit, 1.9 grams of crack cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a) and 841(b) (1) (C).

COUNT 4

The Grand Jury further charges:

On or about February 20, 2002, in the District of Hawaii, ARIETA YAMAGUCHI knowingly and intentionally distributed a mixture or substance that contains a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, which contains cocaine base, a.k.a. "crack cocaine," to wit, 2.0 grams of crack cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a) and 841(b) (1) (C).

COUNT 5

The Grand Jury further charges:

On or about March 13, 2002, in the District of Hawaii, ARIETA YAMAGUCHI knowingly and intentionally distributed 5 grams or more of a mixture or substance that contains a detectable amount of cocaine, its salts, optical

and geometric isomers, and salts of isomers, which contains cocaine base, a.k.a. "crack cocaine," to wit, 21.9 grams of crack cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a) and 841(b) (1) (B) .

COUNT 6

The Grand Jury further charges:

On or about March 14, 2002, in the District of Hawaii, OLITA FAAFITI, a.k.a. Olita Asiata, knowingly and intentionally distributed 5 grams or more of a mixture or substance that contains a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, which contains cocaine base, a.k.a. "crack cocaine," to wit, 7.4 grams of crack cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a) and 841(b) (1) (B) .

COUNT 7

The Grand Jury further charges:

On or about March 14, 2002, in the District of Hawaii, OLITA FAAFITI, a.k.a. Olita Asiata, knowingly and intentionally aided and abetted in the distribution of a mixture or substance that contains a detectable amount of cocaine, its salts, optical and geometric isomers, and salts

of isomers, which contains cocaine base, a.k.a. "crack cocaine," to wit, .84 grams of crack cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(C) and Title 18, United States Code Section 2.

COUNT 8

The Grand Jury further charges:

On or about June 4, 2002, in the District of Hawaii, ARIETA YAMAGUCHI knowingly and intentionally distributed 5 grams or more of a mixture or substance that contains a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, which contains cocaine base, a.k.a. "crack cocaine," to wit, 5.2 grams of crack cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(B).

COUNT 9

The Grand Jury further charges:

On or about June 10, 2002, in the District of Hawaii, ARIETA YAMAGUCHI knowingly and intentionally distributed 5 grams or more of a mixture or substance that contains a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, which contains

cocaine base, a.k.a. "crack cocaine," to wit, 7.0 grams of crack cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a) and 841(b) (1) (B).

COUNT 10

The Grand Jury further charges:

On or about August 6, 2002, in the District of Hawaii, CARMELITA MALDONADO knowingly and intentionally distributed 5 grams or more of a mixture or substance that contains a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, which contains cocaine base, a.k.a. "crack cocaine," to wit, 23.2 grams of crack cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a) and 841(b) (1) (B).

COUNT 11

The Grand Jury further charges:

On or about August 6, 2002, in the District of Hawaii, LILO FAAFITI knowingly and intentionally distributed cocaine, its salts, optical and geometric isomers, and salts of isomers, to wit, 54.0 grams of cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a) and 841(b) (1) (B).

COUNT 12

The Grand Jury further charges:

On or about December 17, 2002, in the District of Hawaii, ARIETA YAMAGUCHI knowingly and intentionally possessed with the intent to distribute a mixture or substance that contains a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, which contains cocaine base, a.k.a. "crack cocaine," to wit, approximately 4 grams of crack cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(C).

COUNT 13

The Grand Jury further charges:

On or about December 17, 2002, in the District of Hawaii, OLITA FAAFITI, a.k.a. Olita Asiata knowingly and intentionally possessed with the intent to distribute 5 grams or more of a mixture or substance that contains a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, which contains cocaine base, a.k.a. "crack cocaine," to wit, approximately 28.35 grams of crack cocaine, a Schedule II controlled substance.


All in violation of Title 21, United States Code,
Sections 841(a) and 841(b)(1)(B).

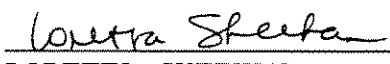
DATED: 1/30/03, at Honolulu, Hawaii.

A TRUE BILL

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FOREPERSON, GRAND JURY

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii


ELLIOT ENOKI
First Assistant U.S. Attorney


LORETTA SHEEHAN
Assistant U.S. Attorney